

CHERYL L. GRAVES, ESQ.  
FARLEY & GRAVES, P. C.  
807 G Street, Suite 250  
Anchorage, Alaska 99501  
(907) 274-5100 Fax (907) 274-5111

Attorneys for Defendant USAA Military Home,  
Life & Auto

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA AT FAIRBANKS**

GEROME AND KELISSA LINEN,

Plaintiffs,

v.

UNITED SERVICES AUTOMOBILE  
ASSOCIATION,

Defendant.

Case No. 4:13-cv-00004 RRB

**MEMORANDUM IN SUPPORT OF MOTION TO STRIKE  
ADVICE OF COUNSEL**

Plaintiffs have filed what appears to be supplemental briefing entitled "Advice of Counsel." Defendant objects to Plaintiffs' filing of supplemental briefing. Local Rule 7.1(i)(1) states that "[s]upplemental briefs may not be filed without leave of court. If a party proposes to file a pleading or brief not authorized by these rules, the party must serve and file a motion requesting permission to do so and attach a copy of the pleading or brief to the motion."

1  
2 Plaintiffs have not requested leave of this court to file supplemental briefing. They  
3 have not filed and served a motion requesting permission to file this type of briefing with the  
4 court. They have failed to follow the guidelines established by our local rules. Plaintiffs had  
5 every opportunity to obtain the requisite Order prior to filing their Reply.

6 Defendant requests the court STRIKE Plaintiffs' Advice of Counsel for failing to follow  
7 proper procedure. If the court accepts Plaintiffs' Advice of Counsel *sua sponte*, Defendant  
8 requests this court's permission to respond.

9  
10 DATED this 24<sup>th</sup> day of April 2013 at Anchorage, Alaska.

11 FARLEY & GRAVES, P. C.

12 By: s/Cheryl L. Graves  
13 CHERYL L. GRAVES  
14 807 G Street, Suite 250  
15 Anchorage, AK 99501  
16 Ph. (907) 274-5100  
17 Fax (907) 274-5111  
18 E-Mail: cgraves@farleygraves.com  
19 ahill@farleygraves.com  
20 Alaska Bar No.: 9711062  
21 Attorneys for Defendant United Services  
22 Automobile Association  
23

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

**CERTIFICATE OF SERVICE**

Pursuant to Civil Rule 5, I hereby certify that on this 24<sup>th</sup> day of April 2013 a true and correct copy of the foregoing Memorandum In Support of Motion to Strike Plaintiffs' Advice of Counsel was served electronically on the following person(s):

Kenneth L. Covell, Esq.  
Law Office of Kenneth Covell  
712 8th Avenue  
Fairbanks, AK 99701  
[covelladmin@pci.net](mailto:covelladmin@pci.net)

By: s/Cheryl L. Graves